

**DOVER PLANNING BOARD
MINUTES OF MEETING
JANUARY 28, 1997**

MEMBERS PRESENT: Brian Preston, Reuben Hull, Otis Perry, Anthony McManus, Charles Maglaras, Dennis Ciotti, Mike Bobinsky

MEMBERS ABSENT: Paul Beecher, Martin Smith, Ron Cole

STAFF PRESENT: Steven Stancel, Planning Director and Jacqueline Freeman, Recording Secretary.

Reuben Hull, Vice-chair called the meeting to order at 6:34 PM.

ITEM #1: Approval of minutes.

Dennis Ciotti made the motion to approve the minutes.

Brian Preston seconded.

VOTE U/A

ITEM #2: Consideration and acceptance of a minor lot line adjustment of land for William & Elizabeth Behrmann, Assessor's Map L, Lot 39, zoned R-20, located on Spur Road.

Kevin McEaney represented the applicants. He stated that the right-of-way in Spur Road has a width of 125'. He said it is part of the old B & M right-of-way. He said the Behrmanns need a conveyance of 2000 sq. ft. Kevin said they are asking for approval of the lot line in anticipation that it will be approved by the Council on February 12th. He said he will need a waiver of the 3 to 1 slope to a 2 to 1 slope.

Otis Perry made the motion to accept the application.

Mike Bobinsky seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Otis Perry made the motion to approve with the following conditions:

1. Add the signatures of the property owners to the plat.
2. Provide the State septic approval number to the Planning Department for the new system.
3. Obtain City Council approval of the Resolution that authorizes conveyance of a portion of City owned right-of-way and if needed, the utility easement may come off the final plan.

Also, a waiver of the 3 to 1 slope to a 2 to 1 slope be approved.

Charles Maglaras seconded.

VOTE U/A

ITEM #3: Old Business

a. Discussion of CIP

Charles Maglaras said the Police Department bought a computer which is now obsolete and we are still paying for it. Chuck said in regard to Dover Net, that he doesn't like bonding electronic equipment over a 10 year period. He said he feels the wiring for the schools, is a capital improvement. He said to bond over a 10 year period \$3,400 for computer tables and \$6,000 for printers is ridiculous and ought to come out of the operating budget. He wants to remove the tables, printers, anti-virus protection and leave the wiring and all the hardware and supplies.

Otis Perry stated the question on whether or not an item is funded with long term money or short term money should not be the determining factor. Otis stated he thinks Dover Net should be kept as is.

Steve Stancel stated the Court Administration people have rejected Portland Street and Chestnut Street for the County Courthouse site but will take another look at Chestnut St. He said the City Manager feels the \$250,000 is available for other projects or to be dropped out of the CIP. Steve stated the City Manager, Mike Joyal and himself put forth a River Street redevelopment project where \$50,000 could be taken out for an environmental analysis and \$40,000 for the dredging of the Cochecho. He said Councilor Williams feels that in conjunction with the truck traffic, some money should be set aside for engineering of the Tolend Rd., Columbus Ave. Sixth/County Farm and Watson/County Farm intersections to make them safer. Steve said the City Engineer thought \$30,000 should take care of it.

Brian Preston said that we will be left with \$160,000 after the \$50,000 and the \$40,000 is taken from the Dover District Court money. He said he would like to have the Athletic Fields \$72,000 moved from the operating budget and have it debt financed. He suggested the \$60,000 Central Avenue Widening should be moved up to next year.

Dennis Ciotti spoke on the Elementary School Improvements for FY2000 and FY2001 \$500,000. He expressed he would like to see it stricken completely from the budget. He said he felt it is not for any specific improvement, but is basically a slush fund and there are a lot more pressing items that could be taken care of with that money.

Brian Preston stated he is comfortable with the money there because he knows it is going to be needed one way or another down the road.

Reuben Hull indicated that according to the minutes of the last meeting, the \$500,000 is intended to get rid of the modular units.

Otis Perry stated there is a six year old plan that calls for the abandoning of the Jr. High and transferring the students to Woodman Park and then building another school.

Mike Bobinsky stated it may make sense to this Board to reinstate that plan.

Dennis Ciotti volunteered to sit on the School Facilities Committee.

Anthony McManus asked if it is within the Board's authority to take what is listed under operating budget for School Facility Maintenance and put it over to debt finance. He feels it would send a message to the City Council. He said the Jr. High is in the condition it is now because they have not been willing to put money into that facility.

Otis Perry stated he would like to give the Council's financial planning committee the benefit of the doubt. If it comes to a vote, he said he will have to vote against this proposal.

Mike Bobinsky advocated using the remaining \$130,000 out of the \$250,000 for the Courthouse and put it into our streets and sidewalks to complement the \$300,000 that is proposed. He said that was one of the things that came out of the Speak Out Dover neighborhood meetings. Another potential project is to expedite the design and construction of Henry Law Improvements to the Band Shell. He said the Rotary has approached us to invest some money. He said it's not a priority but the Board needs to know there is a group out there that is ready to invest. Mike said he feels the band shell will have to be removed. He said the foundation and the footings are OK, but the roofing and plywood is shot. He said he would like to see another \$30,000 out of the \$130,000 be allocated to that project.

Anthony McManus asked Steve if the City is willing to look at other Courthouse sites.

Steve Stancel said he didn't think so at this point. He said they've spent months looking at sites and finally settled on these two sites. Steve discussed the River Street area and why the courthouse would not fit into that area. He said he agrees that the Courthouse should be downtown.

Discussion ensued on the City Hall Expansion design done by Mike Lassell Architects with a construction estimate of \$250,000. It includes building 2 stories in the back third of the Auditorium. The idea is to have one-stop shopping at City Hall.

Brian Preston stated he feels there is a need for a North End Fire Station. He said it should be put in the CIP.

Steve Stancel stated they are approaching Liberty Mutual for a piece of land for a fire station.

Chuck Maglaras asked if there is anything in the works to redo the intersection of Henry Law and River Street, or to put in a vehicular bridge across the Cochecho. He added that a bridge will be needed if we are going to develop the waterfront.

Steve Stancel reiterated the need for a bridge but said at the moment, it is premature. He said there are hundreds of different scenarios for the waterfront. He stated it could be a use that triggers the need for a bridge, or it could be a large user that may buy into a parking garage on the other side of the river, in which case the pedestrian bridge would be sufficient.

Otis Perry made the motion to amend to add \$100,000 in FY2002 for land acquisition for a North End Fire Station.

Brian Preston seconded.

VOTE U/A

Mike Bobinsky made the amendment to add the following projects:

1. River Dredge project in FY98 \$40,000
2. River St. Environmental Assessment in FY98 for \$50,000
3. The intersection truck route safety work in the north end in FY98 for \$30,000 in the operating budget and proposed an additional \$100,000 be added to the general street and sidewalk improvements account.

Steve Stancel asked if the two River Street items can be combined for \$90,000.00.

Mike answered that it would be fine and this would be contingent on the District Court money.

Otis Perry seconded.

VOTE U/A

Brian Preston made motion to move up the study of the Central Avenue Widening for \$60,000 to FY1999.

Mike Bobinsky seconded.

Steve Stancel said he thinks it is a noble attempt to move this up but it may be premature. He suggested there may be other ways to solve the problem. He said they will be looking at the Transportation Section of the Master Plan this year. Steve said he just returned from a COAST meeting and they are looking at getting the ridership up.

VOTE U/A

Abstained - Anthony McManus

Mike Bobinsky made the motion to recommend that the School Department investigate adding the DHS Athletic Facilities light project and the \$148,808 Energy Measures outlined in the CIP to the City Energy Performance Guarantee Program so any energy savings money could be used to make the bond payments.

Otis Perry seconded.

Brian Preston made an amendment to the motion to take the \$72,000 from Education, DHS Athletic Facilities Operating Budget FY98 by moving \$60,000 under debt finance for DHS Athletic Facilities FY98, and leaving \$12,000 in Operating Budget FY98.

Otis stated he doesn't feel the High School Facilities lights are a system waiting to fail. He indicated that the argument regarding the underground cable doesn't make sense to him. He feels it is possible the lights themselves should be changed for the sake of energy management but that the condition of the track is more important. He said he is in favor of the original amendment.

VOTE 4 - 2

Opposed - Maglaras, Perry

Reuben called for a vote on the original amendment.

The Board wanted a recapitulation of the full motion which reads as follows:

Revise \$72,000 from Education, DHS Athletic Facilities Operating Budget FY1998 by moving \$60,000 under debt finance for DHS Athletic Facilities FY1998, and leaving \$12,000 in Operating Budget FY1998. The Planning Board recommends that the 60,000 come from the \$250,000 earmarked for the Consolidated Court if the facility is not constructed downtown. Also recommend School Department investigate adding the DHS Athletic Facilities light project and the \$148,808 Energy Measures outlined in the CIP to the City Energy Performance Guarantee Program so any energy savings money could be used to make the bond payments.

VOTE U/A

Dennis Ciotti said he would like to see a more detailed plan before the \$500,000 for Elementary School Improvements is approved. He said he is not satisfied that the money will be going where it should be. He made the motion that the money not be spent on the elementary schools improvements but to earmark it for improvements to the middle school as well as the parking and the roof of the gymnasium.

Mike Bobinsky seconded.

Charles Maglaras stated he is not sure that an amendment is needed, that the City Council will not give out a half million dollars without some accountability.

Brian Preston stated that School Facility Maintenance \$181,000 is partly for parking at Woodman, and Garrison Schools. He said Dr. Daley stated that before they put in any parking lot they will be sure it won't be where they will be expanding the schools. He said as it stands right now, he will vote against this amendment.

Mike Bobinsky withdrew his second.

Dennis Ciotti stated his intent was just to know how the money was to be spent.

Anthony McManus stated he wants to amend the Dover Net proposal to make it \$125,000 each year for 3 years, FY98, FY99 and FY2000. He stated that he thinks it is being made more of a priority than the school can afford. He said he has a problem with bonding this much of an expenditure in this short period of time. He said the technology is moving so quickly that some of this will be obsolete long before its paid for. Anthony said he would like to see the purchases staggered.

Maglaras seconded.

VOTE 3 - 4 For - Maglaras, McManus, Ciotti Against - Preston, Perry, Bobinsky, Hull

Otis Perry made the motion to adopt the CIP as amended and recommend it to the City Council. Charles Maglaras seconded.

VOTE U/A

b. Discussion of future planning issues.

The Board went over the planning calendar that was included in the packets.

Brian Preston stated that he can't attend the March 4th meeting because of a conflict. He asked that the CDBG requests be given a 5 minute limit for their presentations.

Otis suggested that the Board systematically go through one zone per month. He said the staff could tell us what is allowed and what the problems might be. He suggested the Board establish that system. He said it would give more meaning to the Master Plan.

Chuck Maglaras stated he's been reviewing the Adult Bookstore & Video Ordinance and he thinks there are some real serious legal and constitutional questions that have to be answered. He said where this was started by a politician in the political arena that that is where it ought to be debated and discussed and not by a group of volunteers like the Planning Board. He said he would like to make a motion that the Planning Board dismiss the proposed amendment that is brought forth by Howard Williams.

Chuck Maglaras made the motion to dismiss the proposed amendment.

Mike Bobinsky seconded for discussion.

VOTE 1 - 6 Against - Preston, Hull, Perry, McManus, Ciotti, Bobinsky

Steve Stancel stated Section 170:53 Amendment Procedures specifically states the Planning Board shall hold a public hearing on all such amendments or changes to this chapter. He said this board is bound to hold a public hearing.

Chuck Maglaras stated he feels we are not bound because if we don't make any recommendations or if we are not for or against this amendment, we are dismissing it. He said it should be dealt with at the City Council level.

Otis Perry stated that this was referred to us by the City Council and he doesn't believe we can get out of holding a public hearing.

Chuck Maglaras stated he does not want the Board to go through the abuse that is going to take place here in two weeks.

Anthony McManus stated that he feels we have to proceed with it.

Chuck Maglaras made the motion to have the Council give us a ninety day extension.

Otis stated he is in favor of asking for an extension but is not sure if he is in favor of changing the date of the public hearing.

Mike Bobinsky stated that he feels the grandfather issue is a big issue here. He said he feels that we do need some advice. He said we should make it clear to the public that we will hold a public hearing but we will not make a decision that night.

Mike Bobinsky seconded.

VOTE U/A

c. Zoning North of the Weeks Circle.

Reuben Hull said there has been no closure on the B-5 rezoning. He said we should come to a conclusion, either go ahead or do nothing further.

Otis Perry stated this zone ought to be the first zone to be looked at.

Steve Stancel said that at a future meeting, the Board will decide how to direct the subcommittee.

ITEM #4: New Business

a. Request for an extension of approval for Nancy Towle.

Otis Perry made the motion to grant the extension.

Mike Bobinsky seconded.

VOTE U/A

ITEM #5: Adjournment.

Dennis Ciotti made the motion to adjourn.

Charles Maglaras seconded.

VOTE U/A